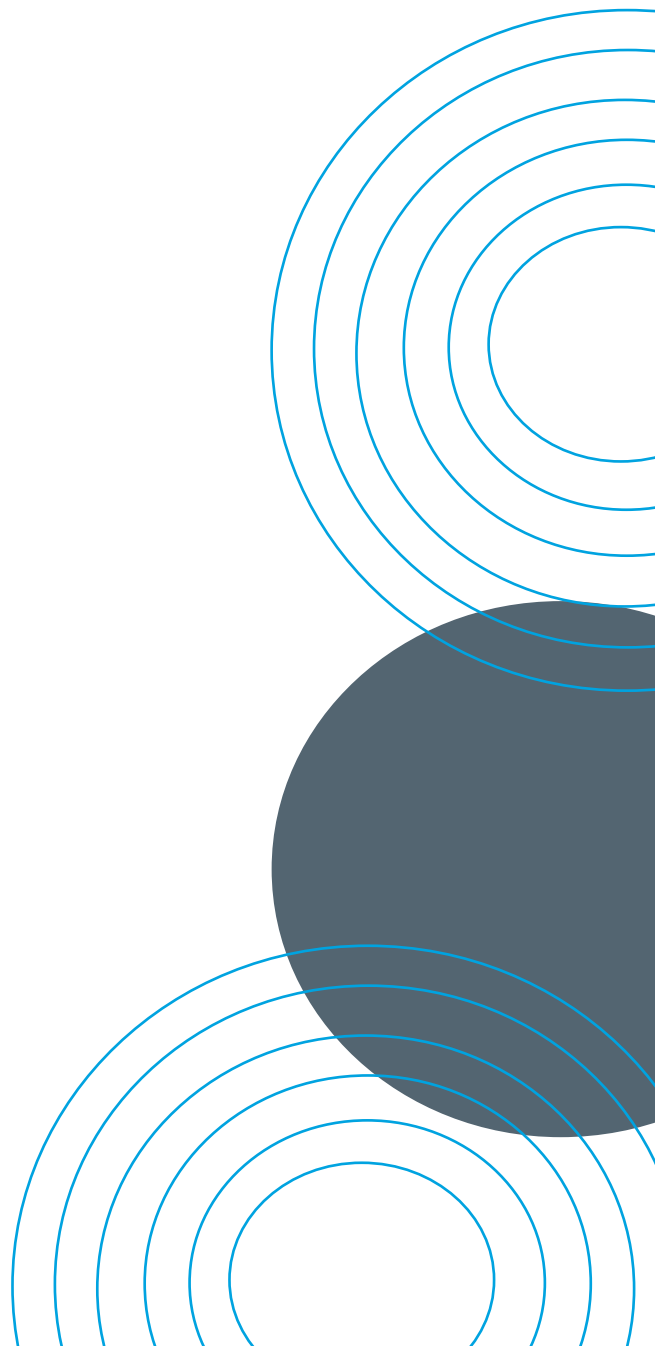




Better Practice Complaint Handling Guide



Foreword

This 2023 edition of the Better Practice Complaint Handling Guide (the guide) marks the 25th anniversary of my Office publishing advice on complaint handling for public services and private providers.

In that time expectations of complaint handling systems have grown. New technology, data analysis and behavioural insights have become commonplace and necessary components of effective complaint handling. With such changes the expectations placed on complaint handling staff have grown. Recent years have further tested complaint handling systems. The rapid changes needed in service delivery to ensure continuity, as well as increased agency visibility and accessibility by way of social media, have created new opportunities and risks.

Something that has not changed over that period is the critical importance of handling complaints well. Being able to raise a grievance, or complaint, about government is a fundamental human right. Engaging effectively and respectfully with complaints is about engaging effectively and respectfully with the community and being willing to improve the quality of government administration.

This 2023 edition of the guide recognises all of these issues and provides the principles of complaint handling and key considerations to support complaint handling staff, at all levels, in the operation of a resilient and successful system.

My Office continues in its work to support agencies, particularly through our education program and Complaint Handling Forums. Agencies looking to improve their complaint handling can also seek my Office's complaint handling expertise to review their existing procedures and/or to support the development of new activities.

Iain Anderson
Commonwealth Ombudsman

About this guide

This Better Practice Guide is a resource to help your agency ensure it has an effective and customer focused complaint handling system.

It will tell you:

- what your agency stands to gain from a good complaint handling system
- what a good system looks like
- practical steps for handling complaints well.

Who is this guide for?

If you work for the public service, or for a contractor providing government funded services, you should be familiar with and use this guide.

It explains what you need to do to get complaint handling right, whether you are:

- a senior executive
- a complaint manager
- a complaint handler
- other frontline service staff
- other business areas (including policy development, contract management, business improvement, service delivery).

It explains the standard we expect when we investigate complaints from members of the public.

This guide will also be useful for private sector organisations and is broadly consistent with AS/NZS 10002:2022 and ISO 10002:2018.

See also [key terms and principles](#) used in this guide.

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Why does complaint handling matter?

Australian Public Service agencies and contractors must deliver high quality programs and services to the Australian community in a way that is fair, transparent, timely, respectful and effective.

Errors, misunderstandings, dissatisfaction and unexpected problems occur in all administrative systems.

A good complaint handling service can:

- fix problems before they escalate
- provide better remedies for complainants
- help you understand your customers
- increase customer satisfaction and improve customer interactions
- increase staff satisfaction
- produce data and insights that help you continuously improve
- inform decisions about future services and programs
- enhance your agency's reputation and strengthen public trust in government.

Compare this with what can happen if you don't handle complaints well:

- customer disengagement
- more complaints escalated internally and to Ministers, MPs and oversight agencies
- missed opportunities to improve
- loss of valuable data
- reputational damage
- loss of trust in government.

You will also need a high quality complaint handling system to meet:

- the expectations of oversight agencies and parliamentary committees
- broader government expectations about service delivery.

Good complaint handling will also help your agency meet general principles of good administration, including fairness, transparency, accountability, accessibility and efficiency.

Analysis of complaint data may identify opportunities for the improvement of administrative practices. The data may identify issues which are more appropriately drawn to the attention of policy makers.

What is a complaint?

It can be difficult to distinguish between complaints and other types of contact from members of the public.

The Ombudsman's preferred definition is:

Complaint

'An implied or express statement of dissatisfaction where a response is sought, reasonable to expect or legally required.'

This definition is broader than, but consistent with, the definition in Australian and New Zealand Standard Guidelines for complaint management in organisations AS/NZS 10002:2022.

It includes dissatisfaction with an agency or its contractor's:

- customer services
- actions or decisions
- inaction or delay
- policy or processes.

It recognises that complaints that are outside an agency's area of responsibility should be treated as complaints in accordance with the 'no wrong door' principle and should be resolved by referring the person to the correct complaint pathway.

Feedback

'Feedback is a compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect.'

The key difference between complaints and critical feedback is the reasonable expectation of a response. Like complaints, it is important to ensure that feedback can be analysed to identify opportunities for improvement.

Some common complaints

Services	<ul style="list-style-type: none"> • Accessibility of services • Quality of services • Treatment by staff
Actions or decisions	<ul style="list-style-type: none"> • Incorrect or unfair • Reasons not properly explained
Inaction or delay	<ul style="list-style-type: none"> • Not responding to requests or applications • Delay providing services • Inaction or delays not explained
Policy and processes	<ul style="list-style-type: none"> • Disagreement with policy or process • Not properly explained

What is not a complaint?

An initial request for a service or action. However, subsequent requests may be an implicit complaint about service, inaction or delay.

Statements about an overall opinion are generally not complaints, unless a response or resolution is expected, or should reasonably be provided.

Requests for information or explanations. However, repeated requests for explanations may be implied complaints about the quality of services, decisions or reasons previously provided.

Requests for updates are not generally complaints. However, some requests for updates may be implied complaints about delay or inaction.

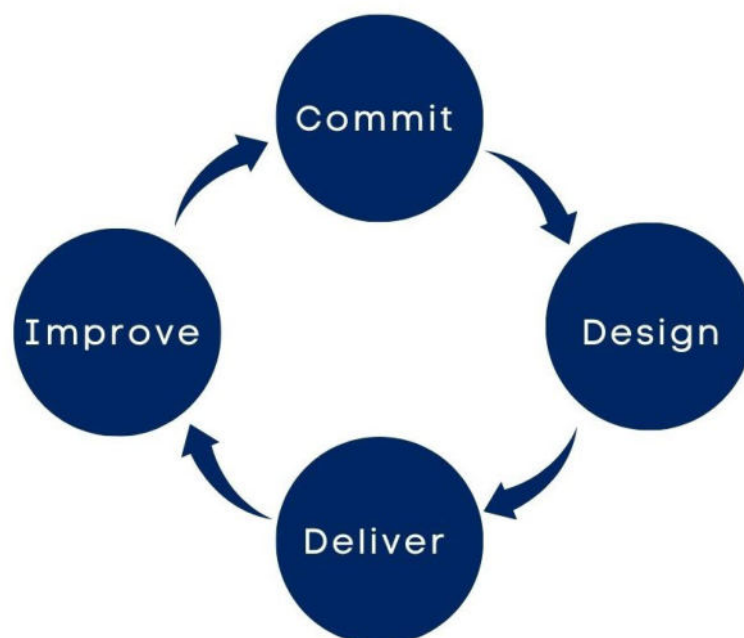
Formal review requests under a legislated internal review scheme. However, agencies may choose to record initial contact as a complaint before referring these complaints to formal review pathways.

What does a strong complaint handling system look like?

A strong system will embed the Ombudsman's complaint handling cycle.

Strong systems are:

- underpinned by a commitment from all staff to provide a quality complaints service
- designed and delivered in a way that meets better practice principles
- continuously improving.



Commit

The cornerstone of good complaint handling is a culture where all staff understand the value of complaints and are committed to delivering a high quality service.

Embedding a strong and committed culture requires:

- strong executive leadership to promote, prioritise and resource high quality complaint handling
- firm commitment from management and staff to design, manage and deliver better practice service.

You have an important role in your complaint handling system.

The type of commitment required from you depends on your role within the agency.

Head of agency and executive

Commitment required:

Make complaint handling a priority for the agency and create the framework for it to succeed.

Achieve this by:

Corporate planning

- Include complaint handling standards in the agency's service charter, business plans and service standards.
- Report publicly on complaint handling in annual reports and other high-level corporate documents.

Resourcing your complaint handlers

- Ensure dedicated and adequate resources are allocated to enable your staff to deliver an effective complaint service (including adequate permanent staffing levels).
- Providing an electronic system for managing complaints and complaint data.
- Ensure the senior manager responsible for complaints has direct access to other senior managers.

Agency executives face constant pressure to balance budget resources. However, properly resourced complaint handling systems can drive improvements which increase the efficiency of the programs you deliver.

Promoting better practice

- Ensure the actions and messaging of the executive clearly demonstrate to staff that the agency values complaints.

Monitoring your system

- Make sure you understand your complaint handling system.
- Receive regular (at least quarterly) internal reports on:
 - the quality and timeliness of complaint handling
 - any systemic issues identified in complaints, including how these are handled
 - any media activity related to complaints received or systemic issues.
- Require regular 'health checks' and reviews of complaints handling systems.
- Use complaint information in program review and service delivery.

Managers responsible for complaint handling

Commitment required:

Establish and manage an effective, professional complaint handling system.

Achieve this by:

- making your system accessible
- documenting internal procedures and guidance
- recruiting suitable staff
- providing comprehensive training
- monitoring and ensuring staff wellbeing
- implementing robust quality assurance and complaint review processes
- promoting strong internal networks to ensure support for complaint handlers from other business areas
- sharing complaint insights and systemic issues with business areas, audit and governance committees, and the executive
- reporting regularly to other areas of the agency on issues arising from complaint handling work
- keeping up to date with better practice, participating in complaint handling forums and regularly reviewing your complaint handling system
- being internal champions promoting a positive, integrated complaint handling culture.

Complaint handling staff

Commitment required:

Display exemplary practice in handling complaints.

Achieve this by:

- behaving professionally when dealing with complainants
- knowing and complying with internal complaint handling procedures
- keeping informed about your agency's work including any changes to programs and services
- learning how to identify and feedback systemic issues
- keeping up to date with better practice in complaint handling.

Complaint handling staff must demonstrate professional, empathetic, effective complaint handling practices in accordance with internal policy and procedures and better practice guidelines.

Other staff

Commitment required:

Work collaboratively with complaint handling areas to ensure an accessible and responsive complaint handling system.

Achieve this by:

- being aware of your internal complaint handling policies and procedures
- helping people access the complaints process
- helping complaint handling staff resolve problems
- helping complaint handling staff understand your agency's business
- responding to systemic issues that arise as a result of individual complaints.

Case study: An agency officer visited David at his home to provide a service. David explained that he had been waiting for a long time for someone to visit him. The officer apologised for the delay and explained that he was unaware of the reason for the delay. The officer then explained that David should lodge a complaint so the agency could find out the reason for the delay and improve their service to David in the future.

Case study: A complaint handler was allocated a complaint from Sally. After speaking with Sally, the complaint handler decided that more information was needed from the business area mentioned in the complaint. The business area suggested that the most efficient way for Sally's complaint to be resolved was for her to be contacted by an officer of that business area. The complaint handler remained involved in the process so the complaint could be finalised.

Design

Eight design principles

Every organisation should choose a complaint handling model that is best suited to the work, structure and size of the organisation and the needs of its users.

Whether you are designing a new complaint handling system or reviewing an existing system, there are a number of key design principles you should apply.

1. The system should be user-centred, simple to access and easy to use.
2. The system should support early resolution of complaints.
3. The system should be integrated within the overall corporate structure.
4. Complaints should be recorded in an electronic system capable of producing complaint insights.
5. Complaint handling should be supported by clear process guidance.
6. All staff should have the skills and support they need to deliver better practice.
7. The system should have robust quality assurance and review processes.
8. The system should be adequately resourced.

Your system design should foster a culture that is open to feedback.

Principle 1 - The system should be user centred, simple to access and easy to use

Put complainants at the centre of your complaint handling process by applying a user-centred design process. There are four key guiding principles for a user-centred system:

1. listen to users first when designing the system
2. allow complaints to be raised through multiple channels
3. create and apply user-centred service standards
4. listen to users first when critiquing and seeking to improve the system.

Features of a user-centred system

An organisation with a user-centred complaint handling system:

- actively seeks to identify and understand what its users need, expect and prefer
- designs its complaint handling system with the needs, expectations and preferences of its users in front of mind
- knows that user experiences may change over time and will:
 - regularly test or assess user experience
 - is open to making changes to its system based on user experience.
- encourages and allows the user to be engaged with the complaint system and doesn't make assumptions about how its users will respond to a particular system

- engages with the particulars of each individual complaint and has sufficient flexibility in its processes to accommodate specific needs.

Use behavioural insights to inform your system design. Take time to map complaint journeys and learn where the pain points are for both your customers and staff. Work out what they will need to access and use the complaints system effectively.

Where possible, user test key features of your system.

For any digital complaint handling channels and services, ensure you comply with the DTA's Digital Service Standards.

Some pain points for complainants

- having trouble accessing complaint services, for example, because of phone wait times or opening hours, or because of a disability
- getting 'stuck'
 - if staff don't recognise an implied complaint (such as if they didn't use the word 'complaint')
 - on the 'referral roundabout' after being referred elsewhere to complain
- not knowing the next steps or when to expect responses.

Understanding expectations

Some complainant expectations are not reasonable for the organisation to meet. Insight into unreasonable user expectations and preferences can help you enhance your system with resources to manage user expectations.

Accessible and easy to use

Your system should be accessible to everyone in the diverse Australian community. This means taking active steps to understand and reduce any barriers to accessing your system.

Pay particular attention to the needs of people who may be vulnerable due to age, disability, language, geographical, health, financial or cultural reasons. For example, your complaint handling system should include a process to identify and respond to a need for communication to be in a language other than English.

Keep it simple

Make your system simple, with as few steps as possible. Systems with complex steps risk complainant fatigue and the exclusion of legitimate complaints.

Provide multiple access points

Allow complaints from multiple channels so users can choose one that meets their specific needs. Better practice is to allow complaints to be raised by phone, email, online form, post and face to face.

It is fine to encourage people to use digital channels, including social media or apps¹ but take care to keep alternative channels open and well maintained. Complainants should be asked their preferred method of contact and if there is a particular channel that would help them make their complaint more effectively.

¹ There is no expectation that organisations should seek to identify complaints made on third party social media accounts or channels.

Publicise your system

Publish clear information about how to submit complaints and your complaints process in multiple formats—online, in decision letters and other applicable correspondence such as information pamphlets, posters, and on call-through information.

Where possible, include information in multiple languages and provide information about interpreting and translation services.

Make your complaint pages readily accessible from your home page so that people can reach it in one or two clicks. Publish your complaint handling service commitment and policy on your website.

Staff should also tell dissatisfied customers about the option to complain.

The more accessible your system is, the more representative and valuable the complaint data will be.

Accessible systems improve the user experience and decrease the risk that people are made frustrated or angry by the complaints process itself.

Look for barriers

Work out what barriers people face and what can be done to address these. Examples of barriers include:

- time and effort involved
- fear of retribution
- complainant 'fatigue' (such as giving up after multiple referrals)
- previous negative experiences or lack of confidence or trust
- known barriers such as those relating to culture, financial hardship, education, health, age, disability or homelessness
- emerging barriers such as COVID-19 related accessibility issues.

Encourage complaints

Your publications and your staff should actively encourage complaints by making it clear that:

- complaints are welcomed and free
- complaint handling is confidential
- there is no penalty for complaining
- complaints are valued by the organisation as a way to improve its service
- complaints can be made anonymously.

Be clear about your role and any limits on your jurisdiction to handle particular complaints. Where appropriate include referral (and time limit) information for other relevant complaint bodies. If possible, practice a 'no wrong door' approach.

Train your staff in accessibility awareness

Ensure staff are well trained in how to support people to complain, and adequate mechanisms are in place to allow sufficient flexibility and guidance to respond to particular complainant groups.

Outreach

Outreach can improve accessibility and visibility of your agency, particularly if you provide services to vulnerable groups with significant access barriers.

Other specialist guidance

There are a number of other complaint handling guides that will help you provide a better service to particular groups. These include:

- Children and young people: [Complaint Handling Guide: upholding the rights of children and young people](#)
- Aged: [Better Practice Guide to Complaint Handling in Aged Care](#)
- People with disability: [Effective complaint handling guidelines for NDIS providers.](#)

Principle 2 - The system should support early resolution of complaints

Early resolution provides a better experience for your complainants and more efficient complaint handling.

The best systems:

- empower frontline staff to action and finalise complaints
- triage complaints so that simple complaints can be resolved quickly – freeing up resources for thorough investigation of more complex complaints.

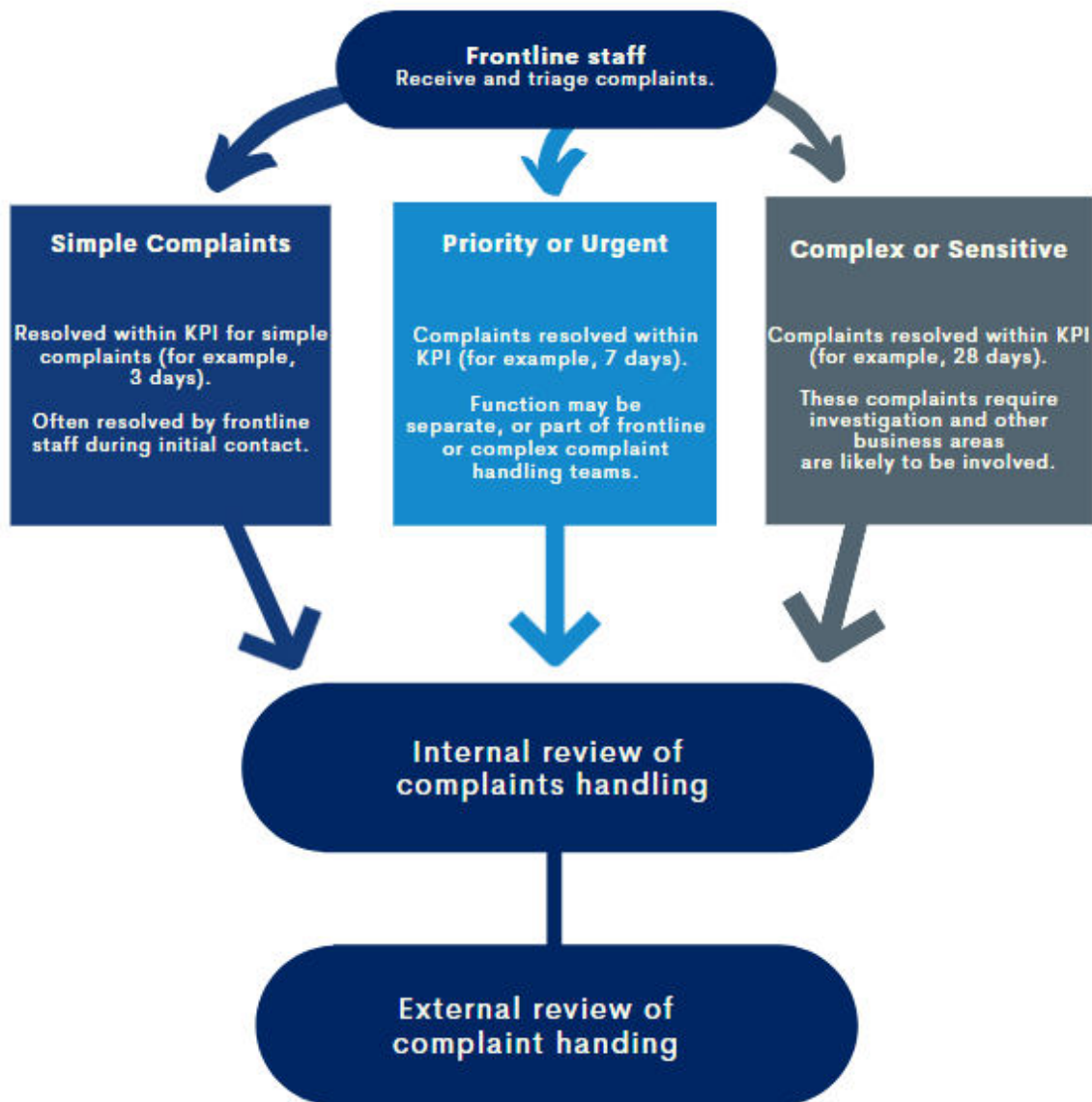
Some guiding principles for triage design are:

- triage early and effectively
- develop appropriate KPIs for each triage group
- resolve straightforward and urgent complaints quickly
- allow more time for complex and sensitive complaints
- aim for end-to-end complaint handling by a single complaint handler, but retain flexibility to reallocate complaints where needed so that:
 - complaints are managed by staff with the appropriate skill level and function
 - complaint resolution is not delayed by staff absences.

While triage occurs early in the process, your system will need to be able to reclassify if necessary.

For example, a complaint that may originally appear simple may need to be reprioritised as complex, or a complex complaint may become urgent.

This is often best achieved using a tiered system that suits your needs. A good example is as follows:



Principle 3 - The system should be integrated within the overall corporate structure

Resolving and learning from complaints often requires direct involvement of program and policy areas and in some cases external organisations, contractors or third parties. This means the complaint system must be integrated with the agency's internal and external activities.

Internal integration

Treat enquiries and complaints as **core business**. Ensuring that all agency staff are available to assist complaint handlers will result in more efficient and effective complaint resolution.

The complaint system should include a **dedicated unit** or branch² shown on the organisational chart. It should be headed by, or report directly to a senior manager.

Set complaint handling **KPIs** and include complaint handling performance, trends and insights as a regular item on executive meeting agendas.

Develop **workflow and information sharing processes** that ensure:

- prompt internal complaint transfers and responses
- complaint managers know about changes to program delivery
- program delivery areas receive complaint handling feedback.

External Integration

Few agencies work independently of other organisations. Some agencies deliver services jointly with other government agencies or in partnership with private sector organisations.

Some agency decisions can depend on information from another agency or organisation.

Many people will not understand the division of functions or responsibilities between organisations and may be confused about where to complain. Complaint outcomes will be better if complaint handlers are aware of this and can help the person to the right complaint pathway.

Consider how your agency can integrate with other complaint handling systems:

- train staff to understand how your agency's activities interact with those of other organisations
- exchange information with other agencies about complaint pathways and processes
- consider establishing a formal procedure for referring complaints to other organisations you work closely with
- cooperate in dealing promptly with complaints from external bodies.

Complaints can cast light on things not apparent to complaint handling staff. Often, business areas developing or administering programs are best placed to resolve a grievance or identify an opportunity for systemic improvement.

The best systems have a 'no wrong door' policy, where staff help connect people who come to the wrong business area (or the wrong agency) with the right person, or agency, to handle their complaint.

² For smaller agencies that do not deliver services directly to the public this may be a single person.

Case study: Michael contacted an agency to complaint about a problem he was having receiving a service. The complaint handler identified that the reason for the problem was the agency was using a third party service provider to deliver the service. The complaint handler explained that he would take the details of Michael's complaint and provide them to the service provider.

Case study: Jenny contacted an agency to complain about the length of time she had been waiting to receive a particular service. The complaint handler was able to explain to Jenny that the reason for the apparent delay was the agency was waiting for information to be provided by another agency before a decision could be made.

Principle 4 - Complaints should be recorded in an electronic system capable of producing complaint data

All agencies should have a complaint database that records:

- when and how the complaint was made
- the complainant's personal details
- what the complaint was about
- how it was resolved
- all actions, decisions and interactions.

Your database should record information with sufficient granularity and functionality to produce reliable data about complaint trends and issues, including:

Complainant information

- unique complaint identification number
- personal information
- demographics, (such as age, gender, language, location)
- vulnerability or accessibility considerations (such as homelessness, domestic violence, interpreter, remoteness or isolation).

Complaint information

- causes (such as agency delay, inaction, rudeness)
- outcomes (such as complaint upheld, not upheld, inconclusive)
- remedies (such as better explanation, decision varied or set aside, specific action, apology)
- further steps (and when implemented)
- systemic issues.

Complaint data can provide information to help you improve the programs you administer.

It also provides valuable insights into the concerns and needs of the people interacting with your agency. You can use this to transition to more customer centric services.

In some cases it may be appropriate to share complaint data with policy makers.

Customised systems

Your agency should have an electronic system for end-to-end complaint management, if it delivers services direct to the public, or if it funds or contracts third parties to provide services to the public.

Such systems can:

- guide staff with built in workflows and procedural guidance
- record all steps and decisions in the complaint handling process
- hold all correspondence and evidence documents supplied
- integrate with any future online complaint channels
- produce granular data for analysing complaint trends, systemic issues and identification of continuous improvement opportunities.

Other electronic systems

Agencies with minimal contact with the public, or those without customised end-to-end case management software, should:

- assign individual complaint reference numbers and ensure records of decisions, correspondence and related documents are held in a separate file
- ensure the complaint database includes complaint reference numbers. This enables manual qualitative analysis of individual complaints (for example, if trends or systemic issues require further analysis, or for quality assurance purposes).

Third party providers

If you fund or contract third parties to provide services, make sure your contract requires them to provide a better practice complaint handling service and report complaint data and trends to you.

When developing your electronic systems, try to ensure maximum possible integration of your complaint data with complaint data of organisations you fund or contract. This will help you monitor contract compliance and broader trends and issues.

Principle 5 - Complaint handling should be supported by clear process guidance

Develop a clear complaint handling policy. Make sure it includes complaint handling channels, processes, responsibilities, quality assurance processes and performance indicators.

Clearly document complaint process workflows and step by step instructions to help staff implement your policy consistently and effectively.

Make sure your policy and process documentation is integrated with induction and complaint handling training packages.

We suggest modelling your operational guidance for staff on this Better Practice Guide, incorporating step by step instructions tailored to your agency's needs.

Tip: Make sure staff have ready access to clear guidance about how to enable, receive, manage, resolve and record complaints.

Principle 6 - All staff should have the skills and support to deliver better practice

Your staff are your most valuable resource.

Recruit the right people

Complaint handlers need specialist skills and attributes, including empathy, resilience, impartiality, conflict management and strong communication skills.

Depending on the nature of your agency's work and the complaints it receives, you may need to ensure your complaint handling teams include staff with a particular subject matter expertise or specialisations.

Train your staff

You will need a structured complaint handling training program with a specific budgetary allocation and performance measures.

We expect agencies to include complaint handling in their induction training, and refresher and specialist training as appropriate.

All agency staff should be trained on their role in your complaint handling system and should be able to recognise a complaint and assist people to access your complaints system.

All staff should be trained in how to identify and assist vulnerable complainants.

Complaint handlers should be trained and mentored to ensure they:

- can properly apply internal complaint handling procedures and deliver good complaint service
- can identify and respond to people experiencing vulnerability
- can handle complaints confidentially and impartially
- are aware of and up to date about agency programs or areas of work—particularly those likely to come up in complaints.

Agencies should provide ongoing and specialist training for complaint handlers, in particular training on cultural awareness and managing unreasonable complainant conduct.

Other business areas need to know how to support complaint handling, receive feedback and implement changes.

Where possible, complaint managers should participate in complaint handling communities of practice and forums.

Empower your staff

Make sure delegations and policies are in place so:

- all staff are empowered to assist people to make complaints
- complaint handling staff have the authority they need to resolve complaints quickly and effectively.

Look after wellbeing

Complaint handling is stressful. Your staff will need support to monitor and manage their own wellbeing.

Ensure complaint handling staff are trained on how to identify and manage unreasonable complainant conduct. Mentoring, wellness programs, role variety and mobility can help reduce complaint handling 'burnout'.

Provide feedback and support

You will need a formal process for systematic review of complaints and providing feedback to staff.

Make sure more intensive supervision and support can be provided where staff are new, matters are complex or the complainant requires extra assistance or more intensive management.

Feedback should be provided on both individual performance and team performance against internal benchmarks.

Your process should ensure managers in other business areas are made aware of issues arising in complaints to ensure feedback to their staff.

Reward good complaint handling

Your system design should foster a culture that is non-defensive and open to feedback. Acknowledge and praise staff who exhibit this approach in their work. We suggest including complaint handling achievements in employee recognition schemes.

You should also acknowledge positive examples of systemic improvement arising from complaint handling. Positive reinforcement of the value of the work they do will help motivate complaint handling staff and improve job satisfaction.

The value of complaint handling should be reflected in career and promotional opportunities.

Principle 7 - The system should have robust quality assurance and review processes

Strong quality assurance and review processes will underpin the success of your system.

Your quality assurance process should include:

- a supervision framework, with clear quality check points
- a process for people to seek review of how their complaint was handled
- complainant satisfaction analysis
- strong performance benchmarks
- regular review of complaint handling processes.

Supervision frameworks

Supervision arrangements should be designed to:

- provide direction and support to staff
- monitor how well complaints are being handled and that remedies are offered
- identify complaint trends and issues
- provide performance and program feedback.

Staff should be encouraged to approach a supervisor for assistance or guidance or to talk about the emotional demands of their job. Pairing a new complaint handler with a more experienced officer is a good way of providing support and informal training.

Supervision and monitoring should be constant, with regular consultation and feedback to both new and experienced staff.

Tip: Make sure your supervision arrangements can flexibly respond to:

- **the experience of the staff member**—new staff generally need closer supervision than experienced staff
- **the complexity of the complaint**—complex or novel complaints may need closer supervision or allocation to more experienced staff
- **the complainant's needs**—people who are vulnerable or display difficult behaviour may need special arrangements, more experienced handling or closer oversight
- **complaint handler needs**—supervisors may need to monitor staff wellbeing more closely at times – for example, where a complainant is upset or aggressive or the subject of the complaint is distressing.

Escalation and review processes

Complainants should have an opportunity to seek review of the outcome of their complaint and how their complaint was handled.

A good way to achieve this is having a tiered escalation system so that a person unsatisfied with the handling of their complaint can have it reviewed at a higher level.

Legislation requires some agencies to have decision review processes which may be separate to its complaint process.

External review options, such as tribunals, conciliation or mediation programs and oversight agencies, should generally be mentioned in outcome letters. Other external review options, such as judicial review and freedom of information, should be provided where appropriate.

Some things to keep in mind when designing a review system are:

Create a review culture

Staff should be encouraged not to take review requests personally and to see the review process as a valuable part of the overall complaint handling system.

Reviews can provide valuable insights about your internal processes, improve complainant satisfaction and embed high quality complaint handling.

Develop procedural guidance

Each step of the review process should be clearly explained in internal guidelines.

Your default position should be that all complainants may have their complaint escalated or reviewed by a person who was not the original complaint handler.

If it is necessary to limit this option, you will need to provide very clear guidance to staff about the circumstances where they may decide not to grant a request for escalation or review.

Enable review requests

You will need to clearly explain the escalation process to complainants (such as in outcome letters, factsheets and on your website).

Your training program will need to include how to recognise a review request.

Make sure the review process is accessible to everyone. Encourage people to specify what they want reviewed and why they disagree.

Start with better explanations

Sometimes, a person seeking a review will be satisfied with a better explanation of the complaint outcome or process.

Often the original decision maker will be best placed to provide a better explanation of complaint actions, findings or outcomes.

There is a large power imbalance between an agency and individual members of the public. Supervisors should monitor this process to ensure staff do not inadvertently discourage a person from seeking a review when providing a better explanation.

Keep good records

Make sure your guidelines instruct staff to record all review requests, communication, decisions and outcomes.

In particular, if a request for review is refused, staff should be required to record their reasons so supervisors can conduct quality checks.

Complainant satisfaction

Your system should build in processes for seeking complainant feedback.

This can be done in a variety of ways, including:

- regular complainant satisfaction surveys
- feedback buttons and surveys in online forms and webpages
- telephone surveys at the end of calls
- monitoring comments on social media.

Develop strong performance benchmarks

You will need to develop benchmarks that suit the needs of your agency, and appropriately reflect reasonable community and oversight expectations.

In the table below, we set out some timeframes that we would consider reasonable for an agency to meet when handling straightforward complaints. We adjust our expectations as needed, considering the type of agency and nature of its complaints.

At a minimum, you should have benchmarks for measuring:

- timeliness
- complainant satisfaction
- escalation.

Timeliness

Timeliness benchmarks mitigate the risk of unnecessary delay in complaint handling.

We suggest agencies consider establishing benchmarks for the following as a starting point:

- acknowledgement
- simple complaint resolution
- urgent and priority complaint resolution
- complex and sensitive complaint resolution
- notify complainant of delay.

Benchmarks should be efficient but allow sufficient time for complaints to be handled properly. Agency data will help establish and refine the most appropriate benchmarks.

Sometimes complaints may be delayed while waiting for additional information from the complainant, and complex and major complaint investigations will need longer timeframes for the complaint to be properly handled.

Complaints should be reviewed at established deadlines to see if they need extended timeframes and/or escalation.

Complainant satisfaction

Benchmarks are a matter for each agency to decide, but they should be set high. Set a separate benchmark for satisfaction with process and outcomes. This is because people may be satisfied with the process, even if they are unhappy with the outcome.

We suggest measuring:

Process

- good, satisfactory or excellent—a very high proportion of people
- unsatisfactory—a very low proportion of people

Outcome

- satisfactory, good or excellent—a high proportion of people
- unsatisfactory—a low proportion of people.

Balancing benchmarks

It is important that complaint handlers do not feel pressured to meet benchmarks where doing so would result in a negative outcome for the complainant.

Make sure your system can record reasons why timeliness standards were not met in a particular case. Strong quality assurance frameworks will help balance competing imperatives of quality and timeliness.

Escalation

Set targets to help measure escalation.

Your targets for internal and external escalation will depend on your agency's needs and strategic objectives.

For example, if you have recently enhanced accessibility of your review system, you will want to know if there are more reviews being requested.

Other

Other benchmarks you will need to measure the quality of your system may include complaint outcomes, causes, remedies and implementation.

Agencies should publish their benchmarks and measure against them.

Regular review of processes

Quality assurance frameworks should be reviewed regularly to ensure they meet the changing needs of your agency.

In addition to ongoing iterative improvement, we recommend reviewing your quality assurance and review framework every 2 years.

Principle 8 - The system should be adequately resourced

A complaint handling system must be properly staffed and resourced.

The agency must have enough staff to enable it to comply with its own timeliness standards for complaint handling.

Line area managers should also ensure that their staff give appropriate priority to helping complaint handling staff investigate and resolve complaints.

Unless complaints are few in number, there must be an electronic system for entering, tracking and monitoring complaints and for analysing complaint data.

Deliver

The complaint process is a journey for both the complainant and the complaint handler.

In some cases, a person's experience with the complaint handling process can be as important for their satisfaction as the final outcome.

There are eight steps to deliver a high quality complaints service:

1. identify and log the complaint
2. acknowledge the complaint
3. assess and triage
4. resolve early or investigate
5. consider potential remedies
6. communicate the outcome
7. finalise or escalate
8. feedback systemic issues.

Complaints likely to exceed expected timeframes will also need a discrete 'update' step to keep the complainant informed of progress.

For straightforward complaints, a frontline complaint handler may take all these steps in concert as they may log, acknowledge, assess, resolve, offer a remedy, communicate the outcome and finalise the complaint in a single phone call.

Step 1—Identify and log the complaint

The first step is to work out whether the person is making a complaint.

This means working out:

- are they are dissatisfied with your agency? For example, with its services, actions, decisions, inaction, delay, policy or processes?
- do they expect a response, or should one be provided?

Is the person dissatisfied?

Many people will make it clear they are dissatisfied. However, some people cannot clearly express their dissatisfaction.

If it's not obvious that the person wants to complain, consider if there is an 'implied' complaint.

You will need to ask questions and assess context to work out if the dissatisfaction is implied. This may involve looking at records of previous interactions with your agency.

Case study: John has an intellectual disability. In March, he starts ringing regularly to ask for a print-out of the services he received from your agency. At the third request, a service officer looks at John's record and sees this type of contact was unusual before March. She asks John why he needs the printout. John says the lady who provides his in-home services has stopped coming. The service officer identifies an implied complaint about in home services.

What are they dissatisfied about?

You will need to work out if the dissatisfaction is about **your agency's** services, actions, decisions, inaction, delay, policy or processes.

If they are dissatisfied with another agency or entity, your agency should assist them to find the right complaint pathway.

Do they expect a response (or should one reasonably be provided)?

Ask the person whether they want a complaint handler to respond to their concerns. If the answer is yes, you have identified a complaint.

If the person answers no, be alert to the possibility that the person is confused or afraid to say they want to complain.

You should encourage complaints. If the person seems unaware, confused or afraid of the complaints process you can explain:

- complaints are welcome
- there is no retribution for complaining
- complaints can be anonymous
- the steps in your complaints process.

Some cultures do not encourage complaining and certain languages do not have a word for 'complaint'. Some people will have difficulty explaining what they are complaining about, and others might not understand what a complaint is.

Log the complaint

Once you have identified a complaint, log it in your complaint handling system immediately.

Record any accessibility needs

Ask questions to work out if the person has particular accessibility needs and record these. For example, be sure to record:

- interpreter needs, such as Telephone Interpreter Service, AUSLAN or Indigenous Language Interpreter
- communication needs and preferences, for example, contact in writing or by phone, larger fonts or alternative electronic formats, publications in other languages
- if the person needs or asks for another person's involvement, such as assistance from a nominee or other person such as a friend, family member or caseworker (consent may be required).

Step 2—Acknowledge the complaint

Prompt acknowledgement of a complaint reduces the risk of dissatisfaction later in the process, ideally within 3 working days. It can help the complainant understand the process and help you manage their expectations.

What should an acknowledgement include?

A good acknowledgement will:

- explain the complaint process
- give contact details and preferably the name of a contact person
- indicate how and when to provide any further information
- explain how long it is likely to take to:
 - contact the complainant again
 - resolve the complaint
- provide a complaint identification number.

How should a complaint be acknowledged?

Where possible, try to acknowledge the complaint in the medium it is received, or the complainant prefers.

Written acknowledgement can be beneficial but is not always necessary. It can be more efficient to acknowledge complaints verbally.

Telephone acknowledgement can be provided at the same time as the complaint outcome is explained if the complaint can be finalised promptly.

Always acknowledge by phone if the complainant says they prefer not to receive written correspondence or would be unable to read or understand it.

It is good practice to acknowledge in writing if the complainant prefers, or is likely to benefit from, written correspondence (for example, if the matter is complex).

Written acknowledgement can be suitable for automation, which can ensure high quality acknowledgements are provided consistently.

However the complaint is acknowledged, it is an opportunity to explain the process and what can and cannot be done to manage the complainant's expectations early.

Step 3—Assess and Triage

A good initial assessment helps you decide what action is required—including where to direct it and whether it needs to be prioritised.

Be familiar with your agency's guidelines on:

- what information to obtain and consider when conducting an initial assessment
- workflows for complaint referral and allocation
- which complaints should be prioritised.

Ask the person what outcome they are seeking. Understanding this will help you manage their expectations and work out whether it is suitable for early resolution or investigation.

Why prioritise a complaint?

The main reason to give a complaint priority is because something about it is urgent. What is urgent will differ depending on the agency business.

Some examples include where there are:

- urgent wellbeing, health or safety implications for the person involved, or the public at large
- time limits for achieving a practical outcome
- risks of escalation unless actioned promptly.

In other instances, the sensitivities of the complaint may call for special handling. For example, if there is a risk to the agency or its reputation.

Questions to think about:

- Is contact needed to clarify what the complaint is about or what outcome they are seeking?
- Is the complaint about something your agency is responsible for or can help with?
- Is the outcome they want achievable? Is contact needed to manage their expectations?
- Is the complaint simple or complex?
- Are there multiple complaint issues that need to be separately addressed?
- Is the complaint likely to require formal investigation, or might the complaint be resolved through explanation or discussion?
- Should the complaint be prioritised?
- Does the complainant have accessibility needs?
- Are there potential systemic issues or administrative errors in the complaint?
- Does the complainant need a referral or help to reach a more appropriate body for dealing with some or all their issues?

Step 4—Resolve Early or Investigate

Some complaints can be resolved on first contact, or with minimal further assessment or enquiries being made. Other complaints will require a more formal investigation before it can be resolved.

What does ‘resolved’ mean?

Resolved means providing the complainant with a fair and reasonable response in the circumstances.

It generally means you have either provided the outcome sought by the complainant or if that is not possible, you have:

- accurately identified and assessed the key issues
- treated the person with respect and fairness
- provided an appropriate explanation, remedy or referral.

To resolve early you need to:

- have a clear understanding of the key issues and outcome being sought
- have sufficient information and delegation to make a sound decision
- be able to provide a prompt, fair and reasonable response to the complainant.

You will also need to understand any legislative requirements, agency responsibilities and powers, relevant internal procedures and policies, and may need access to primary documents. If this information cannot be obtained quickly, a more formal investigation may be appropriate.

Simple or routine complaints are most suitable for quick resolution. For example, complaints that:

- are outside your jurisdiction and can be resolved by a suitable referral
- can be resolved by providing a better explanation or information
- relate to simple errors that can be readily fixed
- seek an impossible or unreasonable outcome.

Referral

If a complaint falls outside your agency’s area of responsibility, you should try to help the person find the right complaint pathway.

Be aware that people can get stuck, frustrated or lost on the ‘referral roundabout’. You should try to practice a ‘no wrong door’ approach.

If a person is not vulnerable, give them a phone number or email for the pathway they need.

Vulnerable complainants may need additional assistance, such as an assisted referral, to reach complaint handlers in another agency.

Investigation

If the complaint cannot be resolved early, an investigation may be required.

Investigation plans can be as simple as a few dot points to outline proposed actions. They can provide a useful supervision checkpoint and reduce the risk of:

- overlooking or forgetting a key aspect of the complaint during the investigation
- the investigation becoming unnecessarily slow or unfocused.

Investigation plans may not be needed for simple or routine complaints, but they are important for more complex investigations, such as where further information from the complainant or third parties will be sought. They also ensure continuity and efficiency when complaints are transferred or reassigned.

Planning

Your investigation plan should include:

- key complaint issues, questions to be answered and information to be collected
- the estimated timeframe for completion
- the outcome sought and any steps needed to manage expectations
- potential outcomes and remedies
- any special considerations (for example, if the person has asked for their identity to be withheld from others or if there is sensitive information).

Revisit the plan and make adjustments as circumstances change and new information becomes available.

The scope of your investigation should be proportionate taking into account factors such as complexity, seriousness and any statutory requirements.

Process

Early resolution and investigation processes must be impartial, confidential, transparent and fair.

Base your findings on relevant evidence that is logically capable of supporting your decision (not on guesswork, preconceptions, suspicion or questionable assumptions).

Keep written records of oral information you receive and reasons for your findings and decisions.

You can ask people to provide information or documents but remember—complainants do not have to substantiate every fact or element in their complaint, and you can use reliable information from any source.

Give complainants an opportunity to respond to contrary information or evidence before making a final decision.

Tip: Although some complaints require written information and documents, it is important not to make this a barrier. Complaints can often be quickly resolved verbally.

Timeliness and updates

If it appears unlikely that you will meet the timeframes for resolution in your agency's guidelines or a timeframe previously provided to a complainant, a record should be made and an update provided to the complainant.

Providing updates will help manage expectations and can often avoid further complaints about delay and unnecessary escalation.

Supervisors and managers should monitor complaints that are not meeting timeframes—sometimes a complaint may need to be escalated to a more senior officer, especially if it is more complex than first thought.

Step 5—Consider potential remedies

The best remedies are proportionate, fair and provided in a timely fashion.

While remedies generally follow early resolution or investigation, it is useful to think about offering potential remedies at all stages, including acknowledgement, assessment, and investigation.

What kind of remedies can you provide?

Think creatively about the remedies you could offer. There are many different kinds of remedies, including:

- listening to and acknowledging the person's experience
- apologising
- expediting an action
- changing a decision or agency process
- providing a better explanation
- removing a penalty or providing financial compensation.

Where possible, outcomes should be tailored to the underlying cause of each complaint.

Tip: Think about how the complainant may perceive the actions that have been taken. For many people, a respectful complaint handler acknowledging their concerns will form an important part of the remedy.

Collaborative Complaint Resolution (CCR)

Some agencies may wish to consider whether, for serious, systemic or difficult complaints, a meeting between the agency and the complainant could facilitate a better outcome. Such a meeting could be held with or without a third party facilitator.

This is not a requirement for good complaint handling (unless there is a legislative scheme mandating use of Alternative Dispute Resolution processes, such as mediation or conciliation) but may be a useful tool if it can be done fairly and efficiently.

For example, it may be helpful to have a meeting between the complainant and relevant parties to the complaint, such as where the issue:

- is complex and involves more than one agency or a contracted service provider
- is amenable to a negotiated outcome.

Benefits of CCR: CCR can be relatively informal, flexible and empowering for the complainant. It is outcome focused and can assist in maintaining and repairing relationships. It can be relatively inexpensive if it prevents future costs, for example, due to repeat contact, escalation or reputational damage.

Risks of CCR: If not done properly it can maintain or amplify the power imbalance and can be resource intensive compared to traditional complaint handling. It is not appropriate when the complaint involves potential systemic problems, public interest questions or allegations of abuse of power, corruption, or criminal conduct.

If considering CCR take care to:

- explain the process to the complainant
- ensure the complainant has voluntarily agreed to participate in the process
- invite the complainant to bring a support person
- where possible, have an independent facilitator present.

In some cases, it may help to appoint a person who has not handled, or is not connected, to the complaint to assist the complainant. Sometimes responsibility will be spread across multiple areas of the organisation or multiple organisations.

Step 6—Communicate the outcome

Once you are in a position to resolve the complaint, you must communicate the outcome and reasons for your decisions. If an outcome is unfavourable, you should also provide options for escalation or review.

Good communication is important for ensuring procedural fairness. It also:

- improves complainant satisfaction
- decreases the risk of unnecessary escalation.

It is important for transparency which encourages better quality decisions and increases trust in your agency.

Communicate intended outcomes

It is a good idea to discuss the intended outcome of an investigation with a person before finalising their complaint.

The outcome should be explained in a way that provides sensible and clear reasons about why the complaint is about to be finalised.

This gives you an opportunity to explain why you have reached the decision you have and gives the complainant a chance to let you know if you missed any important issues or information. You can reduce the likelihood of the further escalation by giving the person a good explanation and a chance to be heard at this stage.

Choose the best way to communicate

Your agency should have guidance about how to communicate particular outcomes. As a general rule, outcomes can be provided in writing, verbally or both.

The most important thing is to make sure you communicate the outcome in language, and a form, that the complainant will be able to access and understand. Make sure you consider the circumstances of the complainant, and any special communication needs or preferences they have.

If the complaint is serious, complex or disputed, it may be more suitable to respond in writing (or both by phone and in writing).

What to include

When communicating outcomes, you should include:

- a short summary of what the complaint was about
- what actions were taken to assess and/or investigate each element of the complaint
- what information and evidence you considered
- reasons for any decisions, findings or conclusions
- any remedial action.

It is a good idea to acknowledge the complainant's contribution and their perspective about their experience and how the issues raised may affect them (even if you cannot change or fix them).

Outcomes advised in writing should:

- invite the person to make contact if they want to discuss the decision
- provide a contact name and contact details for the decision-maker
- include advice on internal and external review options (especially if the outcome is not fully favourable).

Outcomes advised by telephone should provide internal and external review options if the person implies or expressly states that they are unhappy with the outcome.

Make it timely

Outcome decisions should be communicated to the complainant as soon practical after the decision is made.

Step 7—Finalise

Finalising complaints

A complainant does not have to be satisfied for a complaint to be closed. However, you should not finalise a complaint until an outcome has been provided and any quality assurance checks are satisfied.

The complainant should be invited to contact your agency again if they have questions or are dissatisfied with the outcome of their complaint. Do not take it personally if they make contact to say they want a better explanation or are dissatisfied with the handling or outcome of their complaint.

The best complaint handlers recognise this is a normal and important part of complaint handling. They proactively invite people to access review and escalation options if they seem dissatisfied.

Person is confused or has further questions

In most cases, the person who handled the complaint can provide a further explanation. Sometimes you may just need to repeat your explanation, and other times you may need to find a new way to explain it.

It can be helpful to switch to a new mode of communication. For example, if a person is struggling to understand a verbal explanation, you could offer to also provide an explanation in writing. Similarly, it may help to call someone to explain an outcome if they are confused by a written explanation.

Where evidence was scant, inconclusive or evenly balanced, this should be explained.

Person is dissatisfied with outcome

Your agency should have guidelines for escalating complaints.

It is generally fine for you as the original decision maker to reconsider your own decisions if a complainant says they are dissatisfied. This is an efficient way to fix up any obvious problems quickly and efficiently.

However, you should escalate the complaint if your reconsideration result is unfavourable to the complainant. Escalated complaints should then be handled by another staff member in accordance with your agency's escalation guidelines.

Person is dissatisfied with handling of complaint

If the complaint is about complaint handling processes, consider whether process was followed. If it wasn't, look at why not, whether it affected the outcome, whether a remedy should be provided and whether internal feedback is required.

Update your records

Before you finalise a complaint, it is good to check that all conversations, steps, decisions and reasons have been properly recorded. You should also check that complaint data fields are up to date with any information that has been collected during the complaint process.

The best way to be sure that a person is satisfied with a better explanation (and does not wish to pursue a review further) is to ask again at the end of the conversation if they would like further review.

Step 8—Feed back systemic issues

The final step is to consider whether the complaint raised any systemic issues that should be fed back to a supervisor or other areas of your agency.

Make sure you are familiar with your agency's processes for recording and reporting systemic issues.

Identifying systemic issues

Systemic issues are problems in the administration of government programs that are likely to affect a larger group of people, not just the individual complaining.

One off mistakes and errors by agency staff are not generally systemic issues, unless they point to a broader training, supervision or quality assurance issue.

Examples of common systemic issues

Individual complaints can often throw up systemic issues, such as:

- problems with record keeping
- broader training and support needs where a number of staff have made mistakes or given inaccurate information
- delays and bottlenecks caused by issues such as poor communication or integration
- inconsistencies between internal procedures and legislative obligations
- lack of clarity in internal policies and procedural guidance
- gaps where people or work 'falls through the cracks', for example, due to inadequate delineation of responsibilities.

Systemic issues beyond your agency's control

Systemic issues can also arise in legislation and government policy that is beyond the scope of your agency's administrative responsibility.

You should record this information so that it can be captured in your agency's complaint data and shared with government, as appropriate. Bring it to your supervisor's attention if it relates to a new or changing program.

Complaint handlers are a critical conduit for systemic issues because they gather frontline feedback and can forward this to the responsible business area.

Improve

Complaints are a rich source of information that can be used to improve your agency's programs and services, and provide insights into customer behaviour, needs and preferences.

The best systems are reflective, self-critical and innovative, with a culture that encourages all staff to look for opportunities to continuously improve programs and services.

Collect and analyse data

Your insights will only be as good as the data you collect and your commitment to regular analysis.

The data you collect should be relevant, accurate, complete, meaningful and useful. To the extent possible, you should try to collect the data described in Design [Principle 4](#).

You will need to drill down into your complaint data regularly to analyse trends and emerging systemic issues. Where possible, we recommend developing reporting capability that ensures managers and the executive have real time access to complaint performance and trend dashboard data.

Example: A major element of good complaint handling that is relatively easy to measure is timeliness.

You should also try to generate reports that suit the needs of different areas.

Example: Some teams will be interested in complaints about a particular policy, while local managers will need to understand complaints from their region.

You should complement quantitative data with qualitative analysis of complaints, where appropriate.

At a minimum, the executive should receive reports about complaint volumes and trends including data about complaint issues, causes and outcomes, systemic issues and relevant complainant data (for example, geographic, demographic, cohort information).

Data analysis and reporting should occur more frequently during implementation of new policies and services.

Look for systemic issues

There are a number of signposts that should trigger a closer examination of complaint data for systemic issues. Examples include:

- high or increasing volumes of complaints about a particular issue, program or team
- commencement of new or modified programs
- changes in the geographical or demographic spread of complaints
- changes in remedy and outcome trends.

Remember, while systemic issues are often reflected in higher complaint volumes, sometimes a single complaint can reveal a program weakness.

Identify the root causes of complaints which may be varied, for example, process, behavioural, system and organisational causes. Sometimes you will need to take a qualitative look at complaints to understand the reasons behind a quantitative data trend.

Example: Complaints may reveal legislation is being wrongly applied, an internal manual is confusing, recordkeeping needs to be improved or staff need further training.

Take care when analysing your complaints. For example:

- low complaint volumes do not necessarily imply high customer satisfaction (for example, it may be because a system is not sufficiently accessible)
- higher complaint volumes do not necessarily imply systemic problem (for example, it may be the positive result of increased public awareness of a complaint system).

Survey your complainants

Find out what your complainants think of your complaint handling process and what would improve the experience for them. Options include seeking feedback when complaints are finalised, periodic surveys, monitoring social media, user testing, research and focus groups.

Review your system

Regular reviews of your complaint handling system are an opportunity to ensure the system is up to date and able to meet new challenges and evolving better practice.

Look for opportunities to improve

Once you have analysed your data, look for ways to improve how your programs and complaint handling services are delivered.

Examples could include:

- identifying training and development needs
- strengthening supervision and quality assurance processes
- eliminating or reducing 'pain points' for complainants
- reducing duplication and double handling.

Case study: An agency received a number of complaints from separate people about their application for a benefit being denied. All the complaints had a common factor, the applicants were not aware of the requirement to provide certain documents. The agency investigated and identified a need to improve information on their website about how to apply for a benefit.

Share your insights

Insights and innovative ideas for improvement resulting from complaint handling can come from frontline staff, managers, data analysts, auditors and reviewers, and the public.

These should be shared with all areas of an agency that can influence improvement and externally where appropriate, including feedback to other areas of government.

You should also share your insights into improvements you have tried, including what works and what doesn't, with other complaint handling agencies—for example, through complaint handling communities of practice or interdepartmental working groups.

Report your complaints

Publicly report your complaint handling data in Annual Reports and on your website. We recommend including information about total complaints, performance against benchmarks, high level trend information and your top 5 to 10 complaint issues, causes and outcomes.

You should also have policies and procedures on how to provide access to information and how to disclose de-identified complaint data.

Commit to improvement

As program weaknesses and solutions are identified, agencies need commitment to improvement at all levels, from the head of the organisation to frontline staff.

Where improvements to the complaint handling system are identified, the better practice cycle continues. All agency staff need to **commit** to incorporate the improvements into the **design** and **delivery** of your continuously **improving** complaint handling system.

Monitor improvement

Ensure you have a process for monitoring implementation of improvements, recommendations and remedies.

Key terms and principles

This section explains and provides background to the meaning of key terms and principles used in this report.

Complaint

Follow these links for the [definition of complaint](#) and [guidance on how to identify a complaint](#).

Complainant

A person, organisation or representative who makes a [complaint](#).

Complaint handling system

All policies, procedures, practices, officers and resources an agency deploys to manage complaints.

Accessible

An accessible complaint handling system makes it as easy as possible for everyone in the diverse Australian community to find and use. An accessible system will reflect the preferences and needs of the community, including people who may otherwise experience difficulty due to age, disability, language, geographical, health, or cultural reasons. In both design and delivery, an accessible system will actively seek to reduce access barriers. For guidance on designing an accessible system, see Design [Principle 1](#).

Assisted referral

Assisted referrals are where an agency actively helps a person access an alternative complaints pathway, for example, by a direct transfer or by providing the persons details (with consent) to another agency or organisation using email, telephone or another data exchange method.

Providing a complainant with the contact details of another agency or organisation for the complainant to initiate contact with them is not an assisted referral.

Confidential

A system is confidential if it complies with relevant privacy legislation and principles. Protecting privacy is essential for maintaining trust in your system and good communication with complainants.

The Office of the Australian Information Commissioner has published [information about confidentiality requirements under Australian Privacy Principles](#).

Some positive steps to protect complainant confidentiality include:

- using a unique identification number for each complaint
- ensuring access to the complaint database can be restricted to authorised staff
- accepting anonymous complaints
- only disclosing identity or personal details to other staff where necessary
- de-identifying complaints in complaint reporting, where possible.

Effective

A complaint handling system that meets the better practice described in this guide will be an effective system. It will handle complaints in a way that is proportionate and appropriate to the nature of the complaint, resolving simple complaints quickly and assigning more time and resources to resolving complex and serious complaints.

Indicators of effectiveness include:

- the system is accessible to all users, with complaints received from all groups that may experience complaint barriers
- complaints are identified and referred to the complaint handling system
- complaints are resolved within reasonable time frames
- appropriate outcomes and remedies are provided
- overall complainant satisfaction is high
- complaints are quality assured and reviewed
- staff are well trained, empowered and supported
- meaningful complaint data is captured and used to improve continuously.

Fair

Complaint handling systems must treat and be seen to treat, its users fairly, both in its processes and outcomes. Perceptions of fairness can be just as important as actual fairness in building trust and confidence in your system.

The key to fairness is understanding the power imbalance between your agency and your complainants.

A fair system is one where complaint handling actions, decisions and process are:

- respectful
- impartial
- confidential
- transparent
- procedurally fair
- accessible
- responsive.

All of these elements of a fair system are necessary to meet reasonable community expectations, and some are needed to comply legal requirements.

Fair systems:

- are accessible and responsive
- treat people with respect
- are open and transparent about process and reasons for decisions
- give people a chance to provide information and respond to adverse information
- make impartial, evidence based decisions that are lawful, consistent and reasonable
- have a process for reviewing decisions
- protect confidentiality.

Impartial

Impartiality means coming to a complaint with an open mind and without any preconceptions about the outcome. It is vital to fair complaint handling and critically important to maintaining public confidence in the complaint handling process. Without it, an agency may have difficulty maintaining the credibility, and therefore the success, of its complaint handling system.

Complaint handling staff should not be defensive about their agency or its staff, and complainants should not be obliged to prove they are right or the agency is wrong. A version of events from agency staff should not be given extra weight or be presumed to be correct. Take care when responding to someone who has complained multiple times. Resist the temptation to dismiss further complaints and assess new complaints on their merits.

Staff should be trained and encouraged to disclose conflicts of interest that might affect or appear to affect their handling of the complaint. Complaints about staff should be assessed and investigated by someone other than the staff member.

Improving

Agencies should use complaint insights and data to foster continuous improvement in program administration and complaint handling.

Complaints can be a rich source of information for an organisation to draw on to fix systemic issues and continually improve the user experience.

Integrated

Integration means having clear lines of responsibility, communication and referral processes between internal business areas, and externally with contractors and other organisations. It means incorporating complaint handling in core business activities.

Integration is necessary because properly responding to complaint issues will often require action to be taken by a business area and in some cases an external organisation. Benefits of integration include:

- stronger complaint handling culture
- more timely referral and resolution of complaints
- reduced risk of double handling
- better sharing and use of complaint insights
- improved experience for complainants and staff.

No wrong door

No wrong door is a concept that acknowledges it can be hard for people to know where they should direct their complaint. Agencies should work collaboratively to help people find the right complaint pathway and avoid people getting stuck, frustrated or lost on a referral roundabout.

To the extent possible, complaints that fall outside an agency's area of responsibility should be recorded as a complaint and resolved by assisting the person to access the correct complaint pathway as seamlessly as possible.

For agencies with high levels of cross over complaints, the ideal to strive for is a referral system where, rather than sending a person to a new complaint pathway, complaints are transferred directly to other agencies (for example, under a memorandum of understanding).

Procedural fairness

Procedural fairness is about the fairness of the process used to reach a decision. It is not about the substantive or perceived fairness of the decision itself.

Administrative law sets minimum requirements for procedural fairness. Community expectations, and general principles of good administration, require a higher standard of fairness in complaint handling processes. The Commonwealth Ombudsman expects agencies to adhere to this higher standard.

Complainants are likely to be more accepting of unfavourable outcomes when procedural fairness is high and, conversely, relatively dissatisfied with favourable outcomes when procedural fairness is low. Complaint handlers are also more likely to reach a fair and correct decision if the procedure of reaching that decision is fair.

In a procedurally fair system:

- decisions are evidence based and free of bias
- reasons for decisions are provided to complainants, including the evidence on which the decision is based and reasons for not accepting complainant's assertions or evidence
- communication with complainants is clear, and preferably in a form that the particular complainant can best understand
- complainants are given an opportunity to respond to a decision and, if applicable, provide further information to support their complaint before a complaint is finalised
- there is a process for complainants to seek review of how their complaint was handled.

Reflective

Reflection is the necessary precursor to improvement. Reflective systems are self-critical and ensure complaint handling processes and complaint data are regularly reviewed and analysed. Reflective systems ensure effective actioning of individual complaints and can identify trends, systemic issues and opportunities for improvement.

Reflective systems:

- embed a culture of non-defensive self-reflection
- encourage staff and managers to observe and report insights from their complaint handling
- have formal processes for reviewing complaint data and processes
- analyse qualitative and quantitative complaint data.

Respectful

People raising complaints want to be taken seriously. They need to be treated with respect, listened to and kept informed. For many people, the complaint journey, and their treatment along the way, can be just as important as achieving the remedy they initially seek.

Respect is more likely to come about when recruitment and training processes for complaint handlers emphasise the importance of soft skills, such as good communication and empathy. This is because respect requires that complainant concerns are listened to, acknowledged and taken seriously.

Responsive

A responsive system is one that can react quickly and positively to meet the needs of its users, adapt within changing operating environment and continuously improve how it conducts its business.

External and internal factors, such as budgetary pressures and the introduction of new policies, programs, or services, can change the volume and type of complaints a system must respond to. In turn, this may result in individuals with differing needs accessing the system with complaints about new and unique subject matter.

A responsive complaint handling system recognises that new challenges may arise and is set up to promptly identify new issues and action necessary adjustments in a timely and flexible way.

Timely

A timely system actions complaints within benchmark timeframes in line with reasonable community expectations.

Timely actioning of complaints means that the time taken to complete the assessment, and if applicable, the investigation of a complaint, is proportionate to the particular issue and the shortest timeframe possible while ensuring a proper outcome is delivered.

Better practice systems make timely complaint handling a priority and reports regularly on performance to supervisors and the executive.

A complaint handling system that can promptly action complaints is better able to:

- ensure efficient use of resources
- build and maintain trust in the organisation
- provide complainants with good outcomes.

For step by step guidance on how to achieve timely resolution of complaints, see Design [Step 2](#).

For guidance on setting timeliness benchmarks, see Design [Step 7](#).

Transparent

Transparent systems are open and accountable. They provide clear information about their process, actions and reasons for their decisions and are open to public and oversight scrutiny.

In a transparent complaint handling system, complainants are told:

- who is handling the complaint and be given a point of contact
- how the complaint process works, including what information they should provide and when to provide it
- when to expect further contact or a final decision
- reasons for any delays
- the reasons for decisions
- their review and escalation options
- how their information will be used.

Actions taken in the handling of a complaint should also be clearly documented and capable of scrutiny in quality assurance processes and by oversight agencies.

Satisfaction

A complainant's perception about the extent to which their expectations have been fulfilled.

Systemic Issue

A systemic issue is an underlying weakness in a system that may affect how a program or service is delivered. Issues arising in complaints may be systemic if they are likely to affect a number of complainants.

Generally, one off mistakes and errors by agency staff are not a systemic issue. However, if a particular issue or mistake occurs multiple times, it could be a symptom of an underlying systemic issue such as inadequate training or supervision arrangements.

Systemic issues can arise in legislation, policy, procedure, program design, or administration. The nature of the systemic issue will determine where feedback should be directed and the scope of agency to influence systemic improvement.

Unfavourable

An unfavourable complaint handling outcome or decision is where the person has not achieved the outcome they sought, or only achieved part of the outcome they sought.

Unreasonable complainant conduct (UCC)

People may be angry and frustrated when they make a complaint and there may be good reasons for this. It can be difficult to determine when complainant conduct becomes unreasonable and cultural differences may impact whether conduct is perceived as unreasonable. An inability to deal with UCC can tarnish an agency's reputation and diminish its efficiency. In response, agencies should put in place appropriate policies and strategies for managing UCC fairly, ethically and reasonably and ensure appropriate training and support are given to staff who manage complaints.

Complainant's conduct can be considered unreasonable if its nature or frequency consumes a disproportionate amount of your agency's resources to the detriment of other complainants, and/or raises significant health or safety issues for your staff.

Examples include where the person:

- is aggressive and verbally abusive
- threatens harm and violence
- bombards an organisation with unnecessary and excessive phone calls and emails
- makes unrealistic or inappropriate demands
- is unreasonably persistent—continually refusing to accept the organisation's decisions and recommendations in relation to their complaints.

User-centred

A user-centred complaint handling system means putting the complainant and their experience at the centre of its design and practice. For guidance on user-centred design see Design [Principle 1](#).

Vulnerable

A person is vulnerable when their personal circumstances mean they are significantly:

- less likely to be able to access or use complaint handling services
- more likely to experience harm, detriment or disadvantage without additional assistance.

Vulnerability is a relative concept and may vary depending on the person, the nature of their complaint and function of the agency. For example, a welfare recipient may be considered 'financially vulnerable' for an agency whose complainants are ordinarily in well paid employment. On the other hand, for an agency whose complainants are generally welfare recipients, a person may need to have worse overall financial circumstances to be 'financially vulnerable' for that agency's triaging purposes.

It is important to assess vulnerability on a case-by-case basis, rather than making assumptions based on a person's membership of a particular group. A person who is ordinarily not vulnerable may become so in the context of the complaint.

Assessment of vulnerability requires acknowledging it is a dynamic concept and may require subjective assessments to be made.

Additionally, when reviewing your complainant handling system, assess whether the system appropriately supports staff to identify and respond to vulnerabilities.

Help us improve the better practice guide

Feedback and suggestions can be emailed to education@ombudsman.gov.au